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UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

Ex parte JILL S. IWASAKI

Appeal 2016-001768
Application 13/400,873[1]
Technology Center 2100

Before LARRY J. HUME, JOHN P. PINKERTON, and SCOTT E. BAIN, *Administrative Patent Judges*.

PINKERTON, *Administrative Patent Judge*.

DECISION ON APPEAL

Appellant appeals under 35 U.S.C. § 134(a) from the Examiner's Final Rejection of claims 1–19 and 21–24, which constitute all of the claims pending in the application. Claim 20 is canceled. We have jurisdiction under 35 U.S.C. § 6(b).

We affirm-in-part.

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[1] Appellant identifies the real party in interest as QUALCOMM Incorporated. App. Br. 2.

STATEMENT OF THE CASE

Introduction

Appellant's disclosed and claimed inventions are generally directed to mirrored interface navigation between two or more mobile devices with similar capabilities. Spec. ¶ 5.[2]

Claims 1–3 are exemplary of the subject matter on appeal and reproduced below (with the disputed limitations *emphasized*):

> 1. A method for mirrored interface navigation on a plurality of mobile devices, comprising:
>
> establishing, by a first mobile device of the plurality of mobile devices, a communication link between the first mobile device and one or more other mobile devices of the plurality of mobile devices;
>
> detecting, by the first mobile device, user navigation interactions with the first mobile device, the user navigation interactions representing at least one interface navigation step; and
>
> in response to detecting the user navigation interactions:
>
> *performing, by the first mobile device, at least one operation corresponding to the at least one interface navigation step*; and
>
> *transmitting the detected user navigation interactions* from the first mobile device to each of the one or more other mobile devices, *the transmitted user navigation interactions causing parallel interface navigation at each of the one or more other mobile*

[2] Our Decision refers to the Final Action mailed Jan. 14, 2015 ("Final Act."); Appellant's Appeal Brief filed June 12, 2015 ("App. Br."); the Examiner's Answer mailed Oct. 5, 2015 ("Ans."); Appellant's Reply Brief filed Nov. 23, 2015 ("Reply Br."); and, the original Specification filed Feb. 21, 2012 ("Spec.").

devices, the parallel interface navigation corresponding to the at least one operation performed by the first mobile device.

2. The method of claim 1, further comprising:

transmitting interface locking signals from the first mobile device to each of the one or more other mobile devices, wherein *the interface locking signals prohibit each of the one or more other mobile devices from manually receiving interface navigation behaviors when each of the one or more other mobile devices is communicatively coupled to the first mobile device via the established communication link.*

3. The method of claim 1, further comprising:

translating, by the first device, the detected user navigation interactions into interface navigation interactions compatible with each of the one or more other mobile devices, wherein the transmitted detected user navigation interactions correspond to the translated detected user navigation interactions.

App. Br. 15 (Claims App'x).

Rejections on Appeal

Claims 1, 3, 4–7, 9–13, 15–19, and 21–24 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over Chung et al. (US 2012/0042102 A1; published Feb. 16, 2012) ("Chung") and Bull et al. (US 2010/0293462 A1; published No. 18, 2010) ("Bull").

Claims 2, 8, and 14 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over Chung, Bull, and Rydgren et al. (US 2008/0220744 A1; published Sept. 11, 2008) ("Rydgren").

ANALYSIS

We have reviewed the Examiner's rejections in light of Appellant's arguments in the Briefs. On the record before us, we are persuaded the

Examiner erred in rejecting claims 3, 9, 15, and 21. As to the remaining claims on appeal (claims 1, 2, 4–8, 10–14, 16–19, and 21–24), we are not persuaded the Examiner erred. Unless otherwise noted, with respect to claims 1, 2, 4–8, 10–14, 16–19, and 21–24, we adopt as our own the findings and reasons set forth by the Examiner in the Office Action from which this appeal is taken (Final Act. 4–13) and in the Examiner's Answer (Ans. 14–19), and we concur with the conclusions reached by the Examiner. For emphasis, we consider and highlight specific arguments as presented in the Briefs.

Rejection of Claims 1, 4–7, 10–13, 15–19, and 22–24 under § 103(a)[3]

Appellant argues "Chung describes transmitting ***information*** (e.g., data of a screen displayed at the transmitting user device) ***to be presented to a second user device***," and transmitting data is different from "***transmitting the detected user navigation interactions*** from the first mobile device to each of the one or more other mobile devices," as in claim 1. App. Br. 10. Appellant also argues that "*Chung* does not teach or suggest that 'simulating screen sharing by transmitting data displayed on a first user device '***[causes] parallel interface navigation*** at each of the one or more other mobile devices, the parallel interface navigation corresponding to the at least one operation performed by the first mobile device," as in claim 1. *Id.*; s*ee also,* Reply Br. 5–6. Appellant also argues Bull does not teach or suggest the "transmitting" limitation of claim 1. App. Br. 10–11; Reply Br. 7. Appellant further argues that "in both *Chung* and *Bull* ***information is mirrored*** from a

[3] We decide the rejection of claims 1, 4–7, 10–13, 15–19, and 22–24, which are rejected under the first-stated ground of rejection, on the basis of representative claim 1. *See* 37 C.F.R. § 41.37(c)(1)(iv).

first device to a second ***device by transmitting the information that is to be displayed*** from the first device to the second device," but the combination of Chung and Bull does not teach or suggest "a system where ***user interface information is mirrored*** between a first mobile device and a second mobile device ***by performing parallel interface navigation operations in response to a user navigation interaction***, as in claim 1." App. Br. 11; *see also*, Reply Br. 8–9. Appellant also argues, when read in view of paragraphs 42 and 44 of the Specification, the Examiner's interpretation of "the transmitted user navigation interactions" is unreasonable and means more than "merely caus[ing] information to be displayed at [the] first and second mobile devices in parallel." Reply Br. 3–4.

We are not persuaded by Appellant's arguments the Examiner has erred. First, we discern no error in the Examiner's interpretation of the phrase "user navigation interactions." The Examiner concludes "[t]he broadest reasonable interpretation of 'the transmitted user navigation interactions' can include data content and/or information resulting from the user selection that causes parallel interface/operation at a second device." Ans. 15. The Examiner also finds the limitation '"user navigation interactions' can be reasonably interpreted to be any data representing content or information to be displayed on the screen because the displayed screen represents at least one interface navigation step (of selecting a file -> decoding - displaying)." *Id.* at 17. We agree with the Examiner's interpretation because, as the Examiner also finds, claim 1 simply recites "the transmitted user navigation interactions causing parallel interface navigation at each of the one or more mobile devices." Although Appellant argues the Examiner's interpretation does not give any weight to "how" the

information is displayed in parallel at the first and second mobile devices (*see* Reply Br. 3–4), the language of claim 1 does not include the details of "how" the information is displayed in parallel as described in the Specification. While we interpret claims broadly but reasonably in light of the Specification, we nonetheless must not import limitations from the Specification into the claims. *See Phillips v. AWH Corp.*, 415 F.3d 1303, 1323 (Fed. Cir. 2005) (*en banc*).

Second, we are not persuaded by Appellant's arguments the combined teachings of Chung and Bull fail to teach or suggest the disputed limitations of claim 1. *See* App. Br. 9–11; Reply Br. 5–9. The Examiner provides a comprehensive and detailed response to Appellant's arguments in which the Examiner identifies the specific portions of Chung and Bull that, in combination, teach or suggest the disputed limitations of claim 1. *See* Ans. 15–18. In that regard, the Examiner finds as follows:

> Chung further teaches: in response to detecting the user interactions *(see [0127]; i.e., user of the first device selecting a source file)*: performing, by the first mobile device, at least one operation corresponding to the at least one interface step (*see [0127)-[0128]; the selected file is decoded to be displayed on the screen of the first mobile device*); and transmitting the detected user interactions from the first mobile device to each of the one or more other mobile devices (*see [0127)-[0128]; the detected user interaction including the selected file - which is transmitted to an external apparatus - the second device*), the transmitted user navigation interactions causing parallel interface navigation at each of the one or more other mobile devices (*see [0123]; the transmitted file is decoded to be displayed in parallel with or substantially at the same time with a decoding operation of the first device. Fig. 1 and [0058] further show that same screen can be displayed on the first and second user devices; this screen is a result of the transmitted user interaction*), the parallel interface corresponding to the at least one operation performed by the first

> mobile device (*see [0123]; the second device performs the decoding operation in parallel with the decoding operation of the first device*).
>
> Examiner further relies on Bull for teaching the navigation interactions; that is Bull is used to suggest the feature of transmitting user interactions from a first device to a second device (see Figs. 1A-1C). Specifically, Bull teaches: a method for connecting one device to another portable media device (hereinafter as PMD) and allows the first device to control the function of the portable media device (see [0019]). When a user presses one of buttons 116a-h, first device 104 can send to PMD 102 a signal indicating which of buttons 116a-h was pressed; PMD 102 can interpret the signal and take appropriate action such as starting or pausing playback (see par. 0027, Fig. 1 A-1 B). Since Chung discloses the ability to transmit the operation and display mirror interface on both devices, it would have been obvious to modify the teaching of Chung to include the feature of pushing a user interface from one device to a second device as suggested by Bull to include the user navigation interactions to provide a more desirable and consistent remote user interface experience (Bull, par. 0006).

Id. at 15–17.

Based on the Examiner's findings and reasons, we are persuaded the preponderance of the evidence establishes that the combined teachings of Chung and Bull teach or suggest the disputed limitations of claim 1. Thus, we are not persuaded by Appellant's arguments the Examiner erred in (1) finding the combination of Chung and Bull teaches or suggests the disputed limitations of claim 1 and (2) concluding that claim 1 would have been obvious based on the combined teachings of Chung and Bull.

Accordingly, we sustain the Examiner's rejection of claim 1. For the same reasons, we also sustain the Examiner's rejection of independent

claims 4, 7, 10, 13, 16, 19, and 22, as well as dependent claims 5, 6, 11, 12, 15, 17, 18, 23, and 24, which are not substantively separately argued. *See* App. Br. 12.

Rejection of Claims 3, 9, 15, and 21 under § 103(a)

Appellant argues the combination of Chung and Bull does not disclose or suggest "translating, by the first device, the detected user navigation interactions into interface navigation interactions compatible with each of the one or more other mobile devices, wherein the transmitted detected user navigation interactions correspond to the translated detected user navigation interactions," as recited in claim 3. *See* App. Br. 12.

The Examiner finds Chung teaches "wherein the transmitted detected user interactions correspond to the translated detected user interaction" because "the source files decoded by the second user device is a copy of the source files decoded by the first user device." *See* Ans. 5 (citing Chung ¶ 149). We are, however, persuaded by Appellant's arguments the Examiner has erred. In particular, we agree with Appellant that Chung's teaching of transmitting a copy of the source files does not teach "translating" as recited in claim 3 because "when a copy of information is being transmitted, no translation is needed (i.e., because it is a copy). *See* Reply Br. 10.

Thus, because the Examiner has not shown by a preponderance of the evidence that Chung and Bull, individually or collectively, teach or suggest the limitation of claim 3, we do not sustain the Examiner's rejection of claim 3. For the same reasons, we do not sustain the Examiner's rejections of claims 9, 15, and 21, which recite features similar to claim 3 and are argued together with claim 3. *See* App. Br. 12; Reply Br. 11.

Rejection of Claims 2, 8, and 14 under § 103(a)

Appellant argues Rydgren describes control commands to lock a mobile communication apparatus, but does not teach or suggest "that the control commands 'prohibit . . . manually receiving interface navigation behaviors ***when each of the one or more other mobile devices is communicatively coupled to the first mobile device*** via the established communication link," as in claim 2. App. Br. 13; Reply Br. 11–13. The Examiner finds the combination of Chung, Bull, and Rydgren teaches the disputed limitation of claim 2. Ans. 19. In particular, the Examiner finds "Rydgen [sic] teaches the feature of locking the phone remotely by sending a special lock command to the phone" and "[t]he locking signal prohibits the second mobile device from manually receiving interface navigation behaviors." Ans. 19 (citing Rydgren ¶ 27). The Examiner also finds a person of ordinary skill in the art, at the time the invention was made,

> would have modified the teaching of Chung and Bull in the context of mirror display to have a locking feature as suggested by Rydgen [sic] so that the user can prevent manually receiving interface navigation behaviors when each of the one or more other mobile devices is communicatively coupled to the first mobile device via the established communication link. *Therefore, Examiner respectfully submits that the combination of Chung, Bull and Rydgen* [sic] *teaches the disputed features.*

Ans. 19.

We discern no error in the Examiner's findings. Appellant argues in the Reply Brief "[a] person of ordinary skill in the art would not have found it obvious to modify Chung and Bull based on the teachings of Rydgren to arrive at the interface locking signals of claim 2" and the rejection of claim 2 "is the result of improper hindsight." Reply Br. 13–14. However, because

these arguments are raised by Appellant for the first time in the Reply Brief not in response to a shift in the Examiner's position or without otherwise showing good cause, they are waived. *See* 37 C.F.R. § 41.41(b)(2); *see also Ex parte Borden*, 93 USPQ2d 1473, 1474 (BPAI 2010) (informative) ("[T]he reply brief [is not] an opportunity to make arguments that could have been made in the principal brief on appeal to rebut the Examiner's rejections, but were not."

Thus, we sustain the Examiner's rejection of claim 2. For the same reasons, we sustain the Examiner's rejection of claims 8 and 14, which are argued together with claim 2. *See* App. Br. 13–14; Reply Br. 16.

DECISION

We affirm the Examiner's decision rejecting claims 1, 2, 4–8, 10–14, 16–19, and 22–24 under § 102(b).

We reverse the Examiner's decision rejecting claims 3, 9, 15, and 21 under § 103(a).

No time period for taking any subsequent action in connection with this appeal may be extended. *See* 37 C.F.R. § 1.136(a)(1)(iv).

AFFIRMED-IN-PART